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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR MOTION
FOR RELIEF FROM AND
EMERGENCY MOTION FOR STAY
OF NON-DISPOSITIVE PRETRIAL
ORDER OF MAGISTRATE JUDGE**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal portions of their Motion for Relief from and Emergency Motion for Stay of Non-Dispositive Pretrial Order of Magistrate Judge. Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal	Designating Party
Motion for Relief from and Emergency Motion for Stay of Non-Dispositive Pretrial Order of Magistrate Judge (“Motion”)	Highlighted Portions	Plaintiff (green) Defendants (blue)
Exhibit 1	Entire Document	Plaintiff

The blue-highlighted portions of the Motion identify specific software modules described in highly confidential Disclosure Schedules to the Put Call Agreement (Dkt. 515-11). These Disclosure Schedules were filed entirely under seal, and the Court granted sealing at Dkt. 707. Here, the identification of software modules reveals technical features developed by Ottomotto LLC and acquired by Uber. This highly confidential information is not publicly known, and their confidentiality is strictly maintained. This information could be used by competitors or counterparties to Uber’s detriment, including to gain an advantage over Uber in development strategy. For example, disclosure of Uber and Ottomotto’s LiDAR-related technical features would allow competitors to understand Uber’s LiDAR development and strategy, and allow them to tailor their own LiDAR development. If such information were made public, Uber’s competitive standing could be significantly harmed. (Declaration of Michelle Yang in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Yang Decl.”) ¶ 3.)

The green-highlighted portions of the Motion and the entirety of Exhibit 1 were designated “Highly Confidential – Attorneys’ Eyes Only” by Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties

1 have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this
2 material under seal in accordance with Paragraph 14.4 of the Protective Order. (Yang Decl. ¶ 4.)

3 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
4 documents at issue, with accompanying chamber copies.

5 Defendants served Waymo with this Administrative Motion to File Documents Under
6 Seal on July 17, 2017.

7 For the foregoing reasons, Defendants request that the Court enter the accompanying
8 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and
9 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –
10 ATTORNEYS' EYES ONLY."

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12 Dated: July 17, 2017

MORRISON & FOERSTER LLP

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14 By: /s/Arturo J. González
ARTURO J. GONZÁLEZ

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